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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,927	07/24/2003	Andrea Caldini	013436.279 (Caldini I-1)	9482
24283	7590	05/24/2006	EXAMINER	
PATTON BOGGS 1660 LINCOLN ST SUITE 2050 DENVER, CO 80264			STEIN, JULIE E	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/625,927	CALDINI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Julie E. Stein, Esq.	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 2-23-06
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Claim Objections***

2. Claims 3 and 9 are objected to because of the following informalities: “ones” should be “one”. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 5-7, and 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,721,398 to Pitcher.

Pitcher discloses all the elements of independent claim 1, including a unified messaging system (abstract) that serves to interconnect a subscriber with a plurality of independently operable messaging services (column 3, lines 64 to 66) to which they subscribe (column 3, lines 37 to 46 and column 4, lines 43 to 50, a plurality of nodes acting independently in a distributed system in which a user receives messages from the nodes of various messaging types), comprising:

sign-on service means (column 6, lines 6 to 9 and 29 to 32), accessible to a subscriber via a communication medium (Id., telephone or web), for providing said subscriber with a single point of access (Id., telephone or web access allows a

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subscriber single point of access to in-box) for a plurality of independently operable messaging services (see above) that are accessible to said sign-on service means (see column 6) via said communication medium (telephone or web); and

unified service access means (column 10 , lines 18 to 64) for sharing personal address book and calendaring applications (column 10, lines 58 to 61) among said plurality of independently operable messaging services via said communication medium (Id.).

The rejection of independent claim 1 is hereby incorporated and same the reasoning is applied.

Pitcher discloses all the steps of independent claim 7, including a method of providing a unified messaging service (abstract) that serves to interconnect a subscriber with a plurality of independently operable messaging services (column 3, lines 64 to 66) to which they subscribe (column 3, lines 37 to 46 and column 4, lines 43 to 50, a plurality of nodes acting independently in a distributed system in which a user receives messages from the nodes of various messaging types), comprising:

providing said subscriber with a single point of access (column 6, lines 6 to 9 and 29 to 32, telephone or web access allows a subscriber single point of access to in-box), via a sign-on service interface (Id.), accessible to a subscriber via a communication medium (Id., telephone or web) for a plurality of independently operable messaging services (see above) that are accessible to said sign-on service means (column 6) via said communication medium (telephone or web); and

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sharing personal address book and calendaring applications (column 10, lines 58 to 61) among said plurality of independently operable messaging services via said communication medium (column 10, lines 18 to 64).

Pitcher discloses all the elements/steps of dependent claims 5 and 11, including means for enabling said subscriber to move seamlessly among the allowed messaging services to share personal address book and calendaring applications. See column 10, lines 58 to 61, work group features.

Pitcher also discloses all the elements/steps of dependent claims 6 and 12, including means to enable said subscriber to access said sign-on service means via a one of a Telephone User Interface and a WEB User Interface using a laptop or personal computer. See column 6, lines 6 to 67, telephone or web access.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitcher in view of U.S. Patent Application Publication No. 2005/0022006 to Bass et al.

Pitcher teaches all the elements/steps of dependent claims 2 and 8, except means responsive to said subscriber signing on to the sign-on service means, for accessing subscriber's account profile information located in said sing-on service

means in a centralized profile for messaging services. But, Pitcher teaches a single point of sign-on access (rejection of claims 1 and 7), as does Bass (abstract). Bass also teaches that their single sign-on method uses a user directory server for centrally managing user information. See paragraph 7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the single sign-one method taught by Bass in the system of Pitcher in order to access the subscriber's account profile information, which would be centrally located because the single sign-on approach taught by Bass allows greater flexibility than requiring individual applications (or in the case of Pitcher, nodes) to access the user directory directly. See paragraph 24.

The rejections of claims 2 and 8 are hereby incorporated and the same reasoning is applied. Pitcher teaches all the elements/steps of dependent claims 3 and 9, including means for allowing the subscriber to access one of said plurality of independently operable messaging services that are enabled in their account profile. See column 6, line 4 to column 8, line 67, which teaches the various ways in which a user can access the independently operable messaging services and the ways and types of messages that may be collected. However, Pitcher does not teach directory means for authenticating said subscriber. But, Bass teaches a single sign-on method that includes authentication. See abstract.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the single sign-one method taught by Bass in the system of Pitcher in order to authenticate the subscriber because the single sign-on

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approach taught by Bass allows greater flexibility than requiring individual applications (or in the case of Pitcher nodes) to access the user directory directly (see paragraph 24).

Pitcher in view of Bass also teaches all the elements/steps of dependent claims 4 and 10, including wherein said directory means contains subscriber profile data including at least one of: mobile telephone number, spoken name, e-mail address, services access, and links to the personal address book and calendar servers. See Bass, claim 4 and Pitcher, column 4, lines 10 to 15.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1 to 12 have been considered but are moot in view of the new ground(s) of rejection.
7. In view of the amendments to the claims, the rejections of claims 4 and 10 under 35 USC 112, second paragraph are withdrawn.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie E. Stein, Esq. whose telephone number is (571) 272-7897. The examiner can normally be reached on M-F (8:30 am-5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JES

*RS*

  
CHARLES APPIAH  
PRIMARY EXAMINER